

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

LLOYD NEIL POPE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-07-1331-F
	)	
	)	
EDWIN CARNS, M.D., et al.,	)	
	)	
Defendants.	)	

**ORDER**

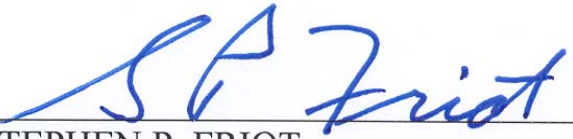
The Report and Recommendation of Magistrate Judge Doyle W. Argo is before the court. (Doc. no. 85.) This action is brought under 42 U.S.C. § 1983, alleging violation of plaintiff's constitutional rights. Plaintiff is a prisoner appearing *pro se*, and his pleadings are liberally construed.

The Report recommends that plaintiff's "Motion for Order Granting Relief as Written Against Lindsay Municipal Hospital w/Brief in Support" (doc. no. 76), and plaintiff's "Motion to Show that the Paperwork for Service on Dr. Steven Magness was Sent w/Brief in Support and Attachments" (doc. no. 79), each be denied. The Report states that any objection to the Report must be filed by February 25, 2009. The Report states that failure to make timely objection to the Report waives the right to appellate review of both factual and legal questions contained in the Report. No objection to the Report has been filed, and no extension of time within which to object has been requested.

After review, with no objection having been filed, and having concluded that no further analysis is necessary here, Magistrate Judge Argo's Report and Recommendation of February 5, 2009, is hereby **ACCEPTED, ADOPTED**, and

**AFFIRMED.** Accordingly, plaintiff's motion for an order granting relief as written against Lindsay Hospital (doc. no. 76) and plaintiff's motion to show that the paperwork for service on Dr. Steven Magness was sent (doc. no. 79) are each **DENIED.** This action remains referred to the Magistrate Judge.

Dated this 11<sup>th</sup> day of March, 2009.

  
\_\_\_\_\_  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

07-1331p007.wpd